



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: BATES, Darryle      Group Art Unit: 3725  
Serial No.: 10/647,942      Examiner: JONES, David B.  
Filing Date: August 26, 2003      Docket No.: 24685-98  
Title: TUBE BENDER AND METHOD OF USING SAME

M.S. Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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REJECTION OVER A PRIOR PATENT**

Stride Tool Inc., owner of the entire right, title, and interest of the subject application, hereby disclaims, except as provided below, the terminal part of the statutory term of all claims of any patent granted on the subject application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,609,405. The owner hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the subject application and is binding upon the grantee, its successors or assigns.

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under 37 CFR §1.321, (e) has all claims canceled by a reexamination certificate, (f) is reissued, or (g) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

Respectfully submitted,



Dated: November 9, 2004

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